

EV855947572US

**TRANSMITTAL LETTER**  
**(General - Patent Pending)**Docket No.  
UAB-20402/22

In Reply, Application Of: Eric J. Sorscher

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/520,377	January 3, 2005		51279		2638

Title: COMPOUNDS PROMOTING DELIVERY OF GENES

COMMISSIONER FOR PATENTS:

Transmitted herewith is:

1. Copy of Notification of Defective Response;
2. Response to Notification of Defective Response, including Verification Statement; and
3. Sequence Listing in computer readable form (diskette);

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 07-1180 as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☐ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**  
Signature

Dated: May 3, 2006

Avery N. Goldstein, Reg. No. 39,204  
Attorney for Applicant  
Gifford, Krass, Groh, Sprinkle,  
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P.O. Box 7021  
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(248) 647-6000

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

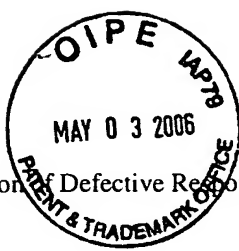
(Date)

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

cc:

Serial No. 10/520,377  
Response to Notification of Defective Response



Attorney Docket No. UAB-20402/22

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Eric J. Sorscher

Serial No.: 10/520,377

Group Art Unit: 1632

Filing Date: January 3, 2005

For: COMPOUNDS PROMOTING DELIVERY OF GENES

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**RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Defective Response mailed April 11, 2006, Applicant submits the following response.

**VERIFICATION STATEMENT**

I hereby state that the content of the previously submitted paper copy of the Sequence Listing and the enclosed computer readable copy of the Sequence Listing are the same.


**REMARKS**

In response to the Notification of Defective Response, Applicant hereby submits a computer-readable copy of the Sequence Listing and the above Sequence Listing Verification Statement.

The disk has been checked using the USPTO Checker Version 4.4.0 Program, and no errors were found.

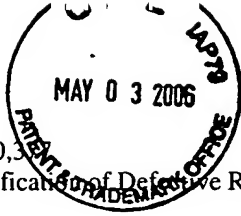
Should any fees or charges be necessary, please charge them to our Deposit Account No. 07-1180. Should the Examiner have any questions, Applicant's attorney may be reached at the telephone number given below.

Respectfully submitted,

  
\_\_\_\_\_

Avery N. Goldstein  
Registration No. 39,204  
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Attorney for Applicant



**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

"EXPRESS MAIL" MAILING LABEL NUMBER EV855947572US

DATE OF DEPOSIT May 3, 2006

I hereby certify that this paper or fee (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service "Express Mail Post Office To Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Janice R. Kuehn  
JANICE R. KUEHN



UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

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APR 13 2006
 GIFFORD, KRASS, GROH, SPRINKLE & CITKOWSKI, P.C.  
 United States Patent and Trademark Office  
 Assistant Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/520,377	Eric J Sorscher	UAB-20402/22

INTERNATIONAL APPLICATION NO.

PCT/US03/20732

I.A. FILING DATE	PRIORITY DATE
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07/02/2003

07/02/2002

25006

GIFFORD, KRASS, GROH, SPRINKLE &amp; CITKOWSKI, P.C.

PO BOX 7021

TROY, MI 48007-7021

CONFIRMATION NO. 2638

371 FORMALITIES LETTER



\*OC000000018498208\*

*out: 4-11-06*  
*resp. due 5-11-06*  
*Correct Sequence Listing*

Date Mailed: 04/11/2006

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 01/03/2005
- Copy of the International Search Report filed on 01/03/2005
- Preliminary Amendments filed on 01/03/2005
- Information Disclosure Statements filed on 07/14/2005
- Biochemical Sequence Diskette filed on 08/25/2005
- Oath or Declaration filed on 05/19/2005
- Biochemical Sequence Listing filed on 08/25/2005
- Request for Immediate Examination filed on 01/03/2005
- U.S. Basic National Fees filed on 01/03/2005
- Priority Documents filed on 01/03/2005
- Power of Attorney filed on 05/19/2005

COPY

Applicant's response filed 08/25/2005 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 07/05/2005 have not been completed.

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR

1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patent Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/520,377	PCT/US03/20732	UAB-20402/22

## STIC Biotechnology Systems Branch

Per

### CRF Problem Report

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) experienced a problem when processing the following computer readable form (CRF):

Application Serial Number: 10/520,377  
Filing Date: 1/3/05  
Date Processed by STIC: 1/26/06

STIC Contact: Mark Spencer: Telephone: 571-272-2510; Fax: 571-273-0221

#### Nature of CRF Problem:

- ☒ (circle one) Damaged or Unreadable (for Unreadable, see attached)  
☐ Blank (no files on CRF) (see attached)  
☐ Empty file (filename present, but no bytes in file) (see attached)  
☐ Wrong file saved to CRF (invention title, docket number, or applicant(s) do not match those in official application) (see attached)  
☐ Not saved in ASCII text  
☐ Sequence Listing was embedded in the file. According to Sequence Rules, submitted file should **only** be the Sequence Listing.  
☐ Did not contain a Sequence Listing. (see attached sample)  
☐ Other:

**PLEASE USE THE CHECKER VERSION.4.4.0 PROGRAM TO REDUCE ERRORS.  
SEE BELOW FOR ADDRESS:**

<http://www.uspto.gov/web/offices/pac/checker/chkrnote.htm>

1. EFS-Bio (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
3. Hand Carry, Federal Express, United Parcel Service, or other delivery service (EFFECTIVE 01/14/05):  
U.S. Patent and Trademark Office, Mail Stop Sequence, Customer Window, Randolph Building, 401 Dulany Street, Alexandria, VA 22314

Revised 01/20/06

10/520,377

A:\>DIR

Volume in drive A is 1-AAOHJDMB  
Directory of A:\

UAB-20~1	TXT	703	08-19-05	3:03p	UAB-20402.ST25.txt
	1 file(s)		703 bytes		
	0 dir(s)		1,456,640 bytes free		

A:\>TYPE UAB-20~1.TXT

Read fault error reading drive A  
Abort, Retry, Fail?F  
Fail on INT 24 - UAB-20~1.TXT

A:\>

← onscreen message when STIC PC  
tried to read  
submitted disk